

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

"SEMICONDUCTOR DEVICE AND PROCESS FOR FABRICATING THE SAME"

Case No. 09792909-4794, the specification of which

(check _____ X _____ is attached hereto
 one) was filed on March 23, 2001, as
 Application Serial No. 09/816,055
 and was amended on _____
 (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent Office all information which is known to me to be material to the patentability of this application in accordance with Title 37, Code of Federal Regulations. 1.56¹

I do not know and do not believe this invention was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, and I believe that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns, except as identified below:

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below:

Prior Foreign Application(s)	Number	Country	Date
P2000-083367		Japan	March 24, 2000

and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the above listed application on which priority is claimed:

Prior Foreign Application(s)	Number	Country	Date
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¹ (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a *prima facie* case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the application takes in:
 - (i) opposing an argument of unpatentability relied on by the Office, or
 - (ii) asserting an argument of patentability.

A *prima facie* case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden of proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

If no priority is claimed, I have identified all foreign patent applications filed prior to this application:
Prior Foreign Application(s)

Number	Country	Date
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I hereby appoint the following attorneys, Kevin W. Guynn (No. 29,927), David R. Metzger (Reg. 32,919), Janelle D. Strode (Reg. 34,738), Michael L. Kiklis (Reg. 38,939), Jordan A. Sigale (Reg. 39,028), Michael A. Molano (Reg. 39,777), Jennifer H. Hammond (Reg. 41,814), Marina N. Saito (Reg. 42,121), Lana M. Knedlik (Reg. 42,748), Alison P. Schwartz (Reg. 43,863), Christopher P. Rauch (Reg. 45,034), Francisco A. Rubio-Campos (Reg. 45,358), Gregory B. Gulliver (Reg. 44,138) and Brian J. Gill (Reg. P46,727); of the firm of Sonnenschein, Nath & Rosenthal, with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith and request that all correspondence and telephone calls in respect to this application be directed to::

SONNENSCHEIN NATH & ROSENTHAL
80th Floor – Sears Tower
233 S. Wacker Drive, Chicago, IL 60606
Telephone 312/876-8000
Facsimile 312/876-3974

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor YUJI TAKAOKA

Inventor's signature	<u>YUJI TAKAOKA</u>	Date	<u>JULY 11, 2001</u>
Residence	<u>Kanagawa, Japan</u>		
Citizenship	<u>Japan</u>		
Post Office Address	<u>c/o Sony Corporation, 7-35, Kitashinagawa 6-chome Shinagawa-ku, Tokyo 141, Japan</u>		

Full name of second inventor YUKIHIRO KAMIDE

Inventor's signature	<u>Yukihiko Kamide</u>	Date	<u>August 17, 2001</u>
Residence	<u>Kanagawa, Japan</u>		
Citizenship	<u>Japan</u>		
Post Office Address	<u>c/o Sony Corporation, 7-35, Kitashinagawa 6-chome Shinagawa-ku, Tokyo 141, Japan</u>		

Full name of third inventor TERUO HIRAYAMA

Inventor's signature	<u>Teruo Hirayama</u>	Date	<u>July 25, 2001</u>
Residence	<u>Kanagawa, Japan</u>		
Citizenship	<u>Japan</u>		
Post Office Address	<u>c/o Sony Corporation, 7-35, Kitashinagawa 6-chome Shinagawa-ku, Tokyo 141, Japan</u>		

Full name of fourth inventor MASAKI HATANO

Inventor's signature Masaki Hatano Date August 9.2001

Residence Kanagawa, Japan

Citizenship Japan

Post Office Address c/o Sony Corporation, 7-35, Kitashinagawa 6-chome
Shinagawa-ku, Tokyo 141, Japan

08-31-2001

AUG 29 2001

FORM PTO-1595

RECO

1/31/92

9-7901



U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

101830715

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents correctly.
Thereof.

1. Name of conveying party(ies):

YUJI TAKAOKA
YUKIHIRO KAMIDE
TERUO HIRAYAMA
MASAKI HATANO

Additional name(s) of conveying party(ies) attached?

Yes No

3. Nature of conveyance:

Assignment Merger
 Security Agreement Change of

Name

Other

Execution Date July 11 & 25 and August 9 and 17, 2001

2. Name and address of receiving party(ies):

Name: Sony Corporation

Internal Address:

7-35, Kitashinagawa 6-chome

Shinagawa-ku, Tokyo 141, Japan

Street Address:

City: _____ State: _____ Zip: _____

Additional Name(s) & Address(es) attached Yes No

4. Application (number(s) or patent number(s)):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s)

U.S. Serial No. 09/816,055 filed March 23, 2001
Attorney Docket No. 097092909-4794

B: Patent No.(s)

400

Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

SONNENSCHEIN NATH & ROSENTHAL
P.O. Box #061080
Wacker Drive Station
Sears Tower
Chicago, IL 60606-1080
Customer ID No. 26263

6. Total number of applications and patents involved

1

7. Total Fee (37 CFR 3.41) \$ 40.00

Enclosed

Authorized to be charged to deposit account any Additional fees

8. Deposit Account Number:

19.3140

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature:

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

David R. Metzger

Name of Person Signing

Signature

August 24, 2001

Date

Total number of pages 3

Mail documents to be recorded and required cover sheet information to:

Commissioner of Patents and Trademarks

Box Assignments
Washington, D.C. 20231+

ASSIGNMENT

WHEREAS, I, as a below named inventor, residing at the address stated next to my name, am a sole inventor (if only one name is listed below) or a joint inventor (if plural names are listed below) of certain new and useful improvements in
SEMICONDUCTOR DEVICE AND PROCESS FOR FABRICATING THE SAME

for which application for Letters Patent of the United States of America was executed by me on the date indicated next to my name and address;

AND WHEREAS, Sony Corporation, a Japanese corporation with offices at 7-35 Kitashinagawa 6-Chome, Shinagawa-Ku, Tokyo, Japan (hereinafter referenced as ASSIGNEE) is desirous of acquiring all interest in, to and under said invention, said application disclosing the invention and in, to and under any Letters Patent or similar legal protection which may be granted therefor in the United States and in any and all foreign countries;

NOW THEREFORE, in consideration of the sum of One Dollar (\$1.00), and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, I, as a sole or joint inventor as indicated below, by these presents do hereby assign, sell and transfer unto the said ASSIGNEE, its successors, assigns, and legal representatives, the entire right, title and interest in the said invention, said application, including any divisions and continuations thereof, and in and to any and all Letters Patent of the United States, and countries foreign thereto, which may be granted for said invention, and in and to any and all priority rights and/or convention rights under the International Convention for the Protection of Industrial Property, Inter-American Convention Relating to Patents, Designs and Industrial Models, and any other international agreements to which the United States of America adheres, and to any other benefits accruing or to accrue to me with respect to the filing of applications for patents or securing of patents in the United States and countries foreign thereto, and I hereby authorize and request the Commissioner of Patents to issue the said United States Letters Patent to said ASSIGNEE, as the assignee of the whole right, title and interest thereto;

And I further agree to execute all necessary or desirable and lawful future documents, including assignments in favor of ASSIGNEE or its designee, as ASSIGNEE or its successors, assigns and legal representatives may from time-to-time present to me and without further remuneration, in order to perfect title in said invention, modifications, and improvements in said invention, applications and Letters Patent of the United States and countries foreign thereto;

And I further agree to properly execute and deliver and without further remuneration, such necessary or desirable and lawful papers for application for foreign patents; for filing subdivisions of said application for patent, and or, for obtaining any reissue or reissues of any Letters Patent which may be granted for my aforesaid invention, as the ASSIGNEE thereof shall hereafter require and prepare at its own expense;

And I further agree that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said application, said invention and said Letters Patent and legal equivalents in foreign countries as may be known and accessible to me and will testify as to the same in any interference or litigation related thereto;

And I hereby covenant that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment and sale.

And I hereby authorize and request my attorney(s) of record in this application to insert the serial number and filing date of this application in the spaces that follow: Serial Number: 09/816,055, Filing Date: March 23, 2001.

This assignment executed on the dates indicated below.

YUJI TAKAOKA

Name of first or sole inventor

Execution date of U.S. Patent Application

KANAGAWA, JAPAN

Residence of first or sole inventor

YUJI TAKAOKA

Signature of first or sole inventor

JULY 11, 2001

Date of this assignment

YUKIHIRO KAMIDE

Name of second inventor

KANAGAWA, JAPAN

Execution date of U.S. Patent Application

Residence of second inventor

Yukihiko Kamide

August 17, 2001

Signature of second inventor

Date of this assignment

TERUO HIRAYAMA

Name of third inventor

KANAGAWA, JAPAN

Execution date of U.S. Patent Application

Residence of third inventor

Teruo Hirayama

July 25, 2001

Signature of third inventor

Date of this assignment

MASAKI HATANO

Name of fourth inventor

KANAGAWA, JAPAN

Execution date of U.S. Patent Application

Residence of fourth inventor

Masaki Hatano

August 9, 2001

Signature of fourth inventor

Date of this assignment

Name of fifth inventor

Execution date of U.S. Patent Application

Residence of fifth inventor

Signature of fifth inventor

Date of this assignment